

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

INSITUFORM TECHNOLOGIES, INC.,)
)
)
Plaintiff,)
)
v.) CASE NO. 04-10487 GAO
)
)
AMERICAN HOME ASSURANCE)
COMPANY,)
)
Defendant.)
)

DEFENDANT'S LOCAL RULE 16.1(D)(3) CERTIFICATION

We, the undersigned, hereby certify that we have conferred in this matter:

- (a) with a view to establishing a budget for the costs of conducting the full course and various alternative courses of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in Local Rule 16.4.

AMERICAN HOME ASSURANCE COMPANY

/s/ Kenneth P. Horenstein
By: Kenneth P. Horenstein, Esq.
Complex Director
Excess Casualty Claims
AIG Domestic Claims, Inc.
175 Water Street, 22nd Floor
New York, NY 10038

Its: Duly Authorized Agent.

AMERICAN HOME ASSURANCE COMPANY,

By its attorneys,

Date: January 23, 2006

/s/ Gregg A. Rubenstein

Gregory P. Deschenes (BBO # 550830)

Gregg A. Rubenstein (BBO # 639680)

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper will copies will be sent to those indicated as non registered participants on January 24, 2006.

/s/ Gregg A. Rubenstein

Gregg A. Rubenstein